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TOWNSEND AND TOWNSEND AND CREW LLP

By:

Claudio Chang

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018941-00041, US
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

STEPHENS et al.

Application No.: 09/438,185

Filed: November 11, 1999

For: CHLAMYDIA PNEUMONIAE
GENOME SEQUENCE

Examiner: Duffy, Patricia A.

Art Unit: 1645

COMMUNICATION

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Office communication mailed May 9, 2002, applicants hereby notify Examiner Patricia A. Duffy, Ph.D. that the proper response to the Office Action mailed August 28, 2001 was indeed filed on February 28, 2002. Copies of the documents as filed, including the Transmittal Form, Fee Transmittal for FY 2001 and Amendment with Version With Markings to Show Changes Made are being provided herewith. Also enclosed is a copy of the filing acknowledgment postcard which confirms receipt of these documents on March 13, 2002 by the Patent and Trademark Office.

Additionally, the Monthly Statement of Deposit Account dated March 29, 2002 confirms that the \$920.00 3-month extension fee was deducted and posted on March 18, 2002 with a control number of 149.



STEPHENS et al.
Application No. 09/438,185
Page 2

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Applicants respectfully request that the previous submission of the Office Action filed on February 28, 2002, as charged to Deposit Account No. 20-1430, be accepted and considered timely filed to avoid abandonment of the application.

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Respectfully submitted,


Kevin Bastian
Reg. No. 34,774

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San Francisco, California 94111-3834
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KLB:clc
SF 1348593 v1



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Mailing Date: 02/28/02 Attorney: KLB/jrc
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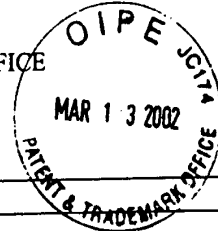
File No.: 018941-000411US

Inventor(s): Stephens et al.

Title: CHLAMYDIA PNEUMONIAE GENOME SEQUENCE

Enclosures: Transmittal Form PTO/SB/21 (1 pg. + 1 pg. copy), Fee Transmittal
PTO/SB/17 (1 pg. + 1 pg. copy) with authorization to charge Deposit
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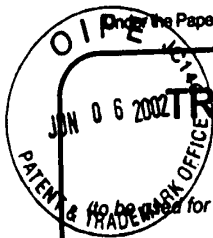
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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/438,185
Filing Date	November 11, 1999
First Named Inventor	Stephens, Richard S.
Group Art Unit	1645
Examiner Name	Duffy, Patricia A.
Attorney Docket Number	018941-000411US

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ENCLOSURES (check all that apply)		
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Firm and Individual name	Townsend and Townsend and Crew LLP Kevin Bastian	Reg. No. 34,774
Signature		
Date	February 28, 2002	

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FEE TRANSMITTAL for FY 2001

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Application Number 09/438,185
Filing Date November 11, 1999
First Named Inventor Stephens, Richard S.
Examiner Name Duffy, Patricia A.
Group Art Unit 1645
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Fee Description			
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114 160 214 80 Provisional filing fee			
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Total Claims <u>20</u> = <u>20</u> X <u>1</u> = <u>20</u>			
Independent Claims <u>3</u> = <u>3</u> X <u>1</u> = <u>3</u>			
Multiple Dependent <u>17</u> X <u>1</u> = <u>17</u>			
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Small Entity Fee Code (\$)			
Fee Description			
103 18 203 9 Claims in excess of 20			
102 84 202 42 Independent claims in excess of 3			
104 280 204 140 Multiple dependent claim, if not paid			
109 84 209 42 ** Reissue independent claims over original patent			
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